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NOTIFICATION

No. H. 12018/12.91-LJD, the 5th March, 1993. The following Act of the Mizoram Legislative Assembly which received the assent of the Governor is hereby published for general information.

The Mizoram Act No 4 of 1993

The Mizoram Public Libraries Act, 1993

(Received the assent of Governor of Mizoram on the 25th February, 1993)

AN ACT

to provide for the establishment, maintenance and development of comprehensive public libraries system in the State of Mizoram.

Be it enacted by the Legislative Assembly of the State of Mizoram in the Forty-Fourth Year of the Republic of India as follows :—

CHAPTER—I

PRELIMINARY

Short title, extent
and commencement.

1. (1). This Act may be called the Mizoram Public Libraries Act, 1993.
- (2) It shall extend to the whole of the State of Mizoram.
- (3) It shall come into force on such date as the Govern-

ment may, by notification in the official Gazette, appoint.

Definition.

2. In this Act, unless the context otherwise requires—

- (a) "Council" means State Library Council;
- (b) "Department" means the Department of Education and Human Resources;
- (c) "Director" means the Director of Public Libraries appointed as such;
- (d) "Government" means the State Government of Mizoram;
- (e) "Notification" means a Notification published in the Mizoram Official Gazette;
- (f) "prescribed" means prescribed by the Rules made under this Act;
- (g) "Public Library" means a Library which serves the general public, and includes State, District, Sub-Divisional and village Libraries;
- (h) "Rules" means the Rules made under this Act;
- (i) "State" means the state of Mizoram;
- (j) "Year" means the financial year;

CHAPTER—II

THE STATE LIBRARY COUNCIL

Constitution of State Library Council.

3. There shall be constituted, by notification, the State Council consisting of—

- (a) the following ex-officio members—
 - (i) The Minister of Education & Human Resources who shall be the chairman;
 - (ii) The Secretary of Education & Human Resources who shall be the Secretary of the council;
 - (iii) The Director of Art & Culture;

- (iv) The Director of School Education;
- (v) The Director of Higher & Technical Education;
- (vi) The Director of Adult Education;
- (vii) The Director SCERT;
- (viii) The Director of Information & Public Relations
- (ix) The Station Director, AIR
- (x) The Director of Public Libraries,
- (xi) The Librarian, NEHU, Mizoram Campus, Aizawl; and
- (xii) The State Librarian.

(b) Other members, such as -

- (i) Two members of the Mizoram Legislative Assembly to be nominated by the Government;
- (ii) One representative of the Mizoram Library Association
- (iii) One representative of Central YMA;
- (iv) One representative of Mizo Academy of letters; and
- (v) One representative of Mizoram Publication Board.

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| Term of office of the Council. | 4. The term of office of the members of the Council shall be for a period of three years. |
| Membership of the Council. | 5. If a member ceases to hold the position by virtue of which he was so nominated or elected, he shall automatically cease to be a member of the Council. |
| Vacancy in the membership of the Council. | 6. A vacancy in the office of a nominated member of the Council shall be filled by nomination and the new member shall hold office only for the remaining period of term. |
| Meeting of the Council and the quorum. | <p>7. (1) THE Council shall meet at least twice in a year.</p> <p>(2) In the absence of the Chairman, members present at a meeting shall elect chairman for that meeting from amongst themselves.</p> <p>(3) Six members shall form a quorum.</p> |

- Duties of the Council. 8. (1) The Council shall advise the Government on all matters relating to Libraries arising out of the provisions of this Act and also in regards to promotion and development of Library Services in the State.
- (2) The Council shall take suitable steps to establish and promote a Public Library System.

CHAPTER - III

DEPARTMENT OF PUBLIC LIBRARIES

- Constitution of Public Libraries. 9. (1) On the commencement of this Act, the Department of Public Libraries shall be constituted with a Director its head.
- (2) The Director shall be assisted by the Joint Director, the Deputy Director, and other necessary supporting staff.
- Appointment of Officers and Staff 10. The appointment of Officers and the supporting staff shall be made by the Government in accordance with the provisions of the rules made under this Act.
- Conditions for absorption of existing staff. 11. The existing Library Staff, for the purpose of absorption shall have to obtain necessary qualification within a limit of time as may be prescribed.

CHAPTER - IV

CATEGORIES OF PUBLIC LIBRARIES

- Categories of Public Libraries. 12. The Public Libraries in the State shall be divided into four categories as follows:—
- (i) State Library ;
 - (ii) District Library ;
 - (iii) Sub-divisional Library; and
 - (iv) Village Library.
- State Library 13. (1) There shall be a State Library located in the Capital of the State.
- (2) The State Library shall consist of the following sections:—
- (i) Bureau of copy right ;
 - (ii) State Library for the blind;
 - (iii) Inter Library Loan ;
 - (iv) State Bibliographical Bureau ;
 - (v) Technical Services ; and
 - (vi) Mobile Services.

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| Functions of State Library | 14. The State Library shall function as Library as well as reservoir of books. |
| District Library | 15. There shall be a District Library in every District headquarters of the State. |
| Sub-divisional Library. | 16. There shall be a Sub-divisional Library in each sub-divisional headquarters. |
| Village Libraries. | 17. There shall be recognised Village Libraries in such Villages as may be found and considered deserving and suitable by the Government from time to time. |

CHAPTER—V FINANCIAL ASSISTANCE TO RECOGNISE VILLAGE LIBRARIES

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| Grant-in-aid to Recognised Village Libraries. | 18. The Government may sanction Grant-in-aid to recognised Village libraries in accordance with the rules made under this Act. |
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CHAPTER—VI MISCELLANEOUS PROVISIONS

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| State Library Association. | 19. (1) The Council may recognise any one body as the State Library Association, the constitution of which shall be approved by the Council.

(2) The Director shall consult Library Association on important matters relating to the Libraries and Librarian of the State. |
| Power to make rules. | 20. (1) The Government may, by notification, make rules to carry out the purpose of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

(a) the requisite qualifications for appointment as the Director, Joint Director, Deputy Director, State Librarian, the District Librarian, Sub-divisional Librarian and other supporting staff;

(b) the mode of payment in respect of the financial assistance and the special grant-in-aid to the recognised libraries ; and

(c) such other rules as the Government may deem it necessary; |

- (3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly of Mizoram while it is in session for a total period of seven days which may be comprised in one session or in two successive sessions ; and if, before the expiry of the session in which it is so laid or the session immediately following the Legislative Assembly of Mizoram makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Dr. H.C. Thanhanga,
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